

TONBRIDGE AND MALLING BOROUGH COUNCIL

AREA 3 PLANNING COMMITTEE

Thursday, 1st May, 2014

Present: Cllr R W Dalton (Vice-Chairman), Cllr J Atkins, Cllr J A L Balcombe, Cllr Mrs J M Bellamy, Cllr T Bishop, Cllr Mrs B A Brown, Cllr D A S Davis, Cllr Mrs C M Gale, Cllr P J Homewood, Cllr D Keeley, Cllr S M King, Cllr Miss A Moloney, Cllr Mrs A S Oakley, Cllr M Parry-Waller, Cllr R Taylor and Cllr Mrs C J Woodger

Councillors N J Heslop and Mrs S Murray were also present pursuant to Council Procedure Rule No 15.21.

An apology for absence was received from Councillor A K Sullivan

PART 1 - PUBLIC

AP3 14/15 DECLARATIONS OF INTEREST

Councillor Mrs Woodger declared an Other Significant Interest in application TM/13/01650/FL (Church of St James, East Malling) on the grounds of being a member of the East Malling Conservation Group, who were speaking on the application, and a member of the congregation of the Church of St James. After making a personal statement she withdrew from the meeting during discussion on this item.

AP3 14/16 MINUTES

RESOLVED: That the Minutes of the meeting of the Area 1 Planning Committee held on Thursday 6 February 2014 be approved as a correct record and signed by the Chairman.

DECISIONS TAKEN UNDER DELEGATED POWERS IN ACCORDANCE WITH PARAGRAPH 3, PART 3 OF THE CONSTITUTION

AP3 14/17 DEVELOPMENT CONTROL AND SUPPLEMENTARY REPORTS

Decisions were taken on the following applications subject to the pre-requisites, informatives, conditions or reasons for refusal set out in the report of the Director of Planning, Housing and Environmental Health or in the variations indicated below. Any supplementary reports were tabled at the meeting.

Members of the public addressed the meeting where the required notice had been given and their comments were taken into account by the

Committee when determining the application. Speakers are listed under the relevant planning application shown below.

AP3 14/18 TM/13/01650/FL - CHURCH OF ST JAMES, CHURCH WALK, EAST MALLING

Erection of a single storey detached building to be used as a parish room at Church of St James, Church Walk, East Malling.

RESOLVED: That the application be

APPROVED in accordance with the submitted details, conditions, reasons and informatives set out in the report of the Director of Planning, Housing and Environmental Health; subject to:

(1) Amendment to Condition 9 as set out below:

9. Prior to the commencement of construction, full details of the method of undertaking the piling for the foundations, including details of all machinery and vehicles engaged therein as well as any engineering works within the site such as protection of, levelling or removal and relaying of paving stones, shall be submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be carried out in accordance with the approved details and shall not be varied without the prior written approval of the Local Planning Authority.

If, during development, other works associated with the construction not previously identified is found to be required at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a method statement detailing how these unsuspected works would be carried out. The works shall thereafter be implemented as approved.

Reason: To ensure that the works do not have an adverse impact on the integrity of the adjacent Listed structures.

(2) Addition of Conditions as set out below:

10. No vegetation clearance works or the removal of the yew tree shall be undertaken before a contract for the carrying out of the construction works of the building has been made and all relevant permissions have been granted for the development for which the contract provides. Details of the timing of removal of the tree and vegetation and the commencement of construction of the building shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

Reason: To ensure that any vegetation clearance is carried out as a continuous operation with the development of the site in the interests of visual amenity.

11. Prior to the commencement of development, details of drainage works, designed in accordance with the principles of sustainable urban drainage, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to protect the locality from increased flood risk.

(3) Addition of Informative:

1. The applicant is advised that, when constructing the ragstone wall, it is the Borough Council's preference that saddleback brick copings are used to match those used elsewhere in the village.

[Speakers: Chairman of East Malling Parish Council (Mr D Thornewell); East Malling Conservation Group (Mr R Brooks) and Mr F Gordon - member of the public and Mrs A Ashbee - applicant]

AP3 14/19 TM/14/00459/FL - 7 - 9 HIGH STREET, AYLESFORD

Installation of replacement and new external patio area, and change of use of first floor and external area to restaurant (A3) use (Part retrospective) at 7 - 9 High Street, Aylesford.

RESOLVED: That the application be

APPROVED in accordance with the submitted details set out in the report of the Director of Planning, Housing and Environmental Health; subject to:

(1) A suitable legal mechanism (condition or legal undertaking) to provide control over the hours of use of the garden area as described in paragraph 6.13

(2) The conditions, reasons and informatives set out in the main report of the Director of Planning, Housing and Environmental Health

(3) Amended Conditions 2 and 6, as set out below:

2. Within 1 month from the date of this permission, details of the acoustic protection measures to be installed at first floor level shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be installed on the site within 1 month of the date of approval and shall be retained in perpetuity.

Reason: In the interests of residential amenity.

6. Within 1 month from the date of this permission, details of a privacy screen to be of an imperforate design and not less than 2 metres in height to be positioned on the first floor terrace on the boundary with number 11 High Street, and a 2 metre high imperforate fence at ground floor level on the boundary with number 11 High Street shall be submitted to and approved in writing by the Local Planning Authority. The approved screen shall subsequently be installed on the site within 1 month of the date of the approval and shall be retained in perpetuity.

Reason: In the interests of amenity of adjoining neighbours.

(4) Additional Conditions 7, 8 and 9 as set out below:

7. The existing external lights on the patio shall be switched off between the hours of 23.00 and 08.00 and terrace area between 21.00 and 08.00

Reason: In the interests of amenity of adjoining properties.

8. A suitably worded condition limiting the illumination of the lighting on the outside of the building fronting the High Street to the hours that the restaurant is open for business in accordance with the terms of this permission. Final details to be submitted to and approved by the Local Planning Authority.

Reason: In the interests of residential amenity.

9. A suitably worded condition controlling bin storage location and design with the final details to be submitted to and approved by the Local Planning Authority.

Reason: In the interests of residential amenity.

Final wordings of Conditions 8 and 9 to be agreed by the Director of Planning, Housing and Environmental Health in liaison with the Director of Central Services.

(5) Addition of Informative:

1. The applicant is asked to consider the possibility of taxi and vehicular collection of patrons being made from the rear car park area, and to discourage congregation of persons outside the front of the property in order to protect the residential amenity of the occupants of the neighbouring dwellings.

[Speakers: Ms A Cain, Mr G Sharpe, Ms A Hazelden, Mrs L Sharpe and Mr M Bowden – members of the public]

AP3 14/20 TM/13/03491/FL - HOLTWOOD FARM SHOP, 365 LONDON ROAD, AYLESFORD

Installation of a mobile fish van in car park (retrospective) at Holtwood Farm Shop, 365 London Road, Aylesford.

RESOLVED: That the application be

APPROVED in accordance with the submitted details, conditions, reasons and informatives set out in the report of the Director of Planning, Housing and Environmental Health.

[Speakers: Mr T Pye - applicant]

AP3 14/21 TM/13/03492/FL - 354 WATERINGBURY ROAD, EAST MALLING

Detached gymnasium and music room for use ancillary to main house at 354 Wateringbury Road, East Malling.

Application WITHDRAWN

AP3 14/22 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 9.10 pm